

Millersville University

SEIZE THE OPPORTUNITY

P.O. Box 1002
Millersville, PA 17551-0302
www.millersville.edu

Office of the Vice President for Finance and Administration
Phone: 717-872-3043
Fax: 717-872-3846

May 30, 2012

US EPA RECORDS CENTER REGION 5



438687

RECEIVED JUN 1 - 2012 *ifol*

Ms. Marsha Adams
United States Environmental Protection Agency
Enforcement Services Section 1, SE-5J
77 West Jackson Boulevard
Chicago, IL 60604-0390

Re: Request for Information Pursuant to Section 104 of CERCLA for the Texas Township
Drum Site in Kalamazoo, Michigan – CERCLIS ID: MIN00510313

Dear Ms. Adams:

Please accept this letter as Millersville University of Pennsylvania's response to the request for information sent by your office to Dr. Francine McNairy, President, on or about May 16, 2012.

Here are responses to the discrete questions set forth in Enclosure B of the request for information:

i. The following persons were consulted in preparing answers to this request for information – Mr. Roger V. Bruszewski, Vice President of Finance and Administration and Mr. Jonathan D. Driscoll, Environmental Health and Safety Assistant.

ii. The following documents, which are enclosed with this letter, were reviewed in preparing answers to this request for information:

- The University's Hazardous Waste Removal Contract Specifications
- The University's Vendor List for Chemical Waste Disposal
- A Letter to the University from Chemical Assistance, Inc. Dated May 8, 1991 Regarding Its New Address

iii. The University does not have reason to believe that other persons can provide more detailed information regarding this request for information.

Ms. Marsha Adams

May 30, 2012

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iv, a-q. No. The University does not have evidence nor is it aware of ever entering into a contract, either orally or in writing, with Chemical Assistance, Inc., Environmental Network, Inc., or Donald Haugen related to the storage treatment or disposal of waste materials.

Please do not hesitate to contact me with any questions or further requests.

Very truly yours,

A handwritten signature in black ink, reading "Roger V. Bruszewski". The signature is written in a cursive style with a large, stylized "R" and "B".

Roger V. Bruszewski

Vice President of Finance and Administration

Enc.

c: Dr. Francine McNairy, President, Millersville University
Mr. Jeffrey B. Hawkins, University Legal Counsel



MILLERSVILLE UNIVERSITY

HAZARDOUS WASTE REMOVAL CONTRACT SPECIFICATIONS

General Requirements

Assignability

The contractor shall not, during the contract period or any renewal or extension thereof, assign, transfer, or subcontract all or part of the contract without prior written consent of Millersville University.

Liabilities and Insurance

- A. The contractor shall perform its services under this agreement as an independent contractor and shall insure public liability and property damage against any and all claims which may arise out of contractor's operations under the terms of this agreement. The contractor is responsible for the payment of premium for Worker's Compensation, unemployment compensation and Social Security, as well as all income tax deductions and any other taxes or payroll deductions required by law for its employees who are performing services specified by this contract.
- B. It shall be the responsibility of the contractors to provide any insurance that it deems necessary to protect its property while on the premises of the University.

Hold Harmless

The contractor shall defend, indemnify and hold Millersville University and the State System of Higher Education harmless from damages to property or injury, including death, to any person(s) and any other losses, damages, expenses, claims, demands, suits, and actions by any party against the University in connection with the work performed by the contractor.

Submission of Bid Proposal

- A. To be considered, one copy of this proposal must be fully executed and returned in the self-addressed envelope provided to the Purchasing Department, Millersville University, P.O. Box 1002, Millersville, PA, 17551-0302, so as to arrive on or before the specified bid opening date and time.
- B. If you do not wish to bid, please mark one copy of the cover sheet of this proposal "NO BID" and return according to the instructions in Paragraph A.
- C. In any correspondence pertaining to this bid proposal, refer to inquiry number and opening date.
- D. The University reserves the right to reject any and all bids, to waive technical defects, and to accept or reject any part of the bid if, in its judgement, the best interest of the University will be served thereby.

Contract Period

The work specified shall be performed during the month of April, 1992.

Hazardous Waste Removal Contract Specification

I. Scope of Services

Contractor will be responsible for Categorization; Packaging for transportation; Labeling; Manifesting; Pick-up; Transporting and Disposing of Hazardous Waste from Millersville University. See attached 31 page Chemical Waste Inventory.

II. Specific Service

- A. Contractor shall furnish all necessary qualified personnel, materials, vehicles and equipment, and manage the packaging, transporting, manifesting, labeling and disposal of the hazardous waste materials listed in the Chemical Waste Inventory attachment of this contract.
- B. For the purpose of this contract, hazardous waste shall be as described below or as identified in the references shown:
 - b1. CFR 40 The Resource Conservation and Recovery Act
 - b2. The Pennsylvania Hazardous Waste Regulations
 - b3. Materials which exhibit characteristics of reactivity; ignitability; corrosivity; or extraction procedure (E.P.) toxicity, as specified in b1 and b2
 - b4. Materials which may not be listed under b1 and b2, but are regulated and referenced by federal or state regulations requiring specialized disposal. These include, but are not limited to, chlorinated biphenyls and low level radioactive wastes. Services do not include special handling wastes such as: infectious or chemotherapeutic wastes.
 - b5. Materials which may not be listed under b1 or b2, but which the University wishes to dispose of to ensure safety and health. This includes unidentified waste materials.
- C. The bidder shall have available/use of a laboratory analysis service to identify materials that are unidentified by the University, which are to be disposed of as hazardous waste. This laboratory shall be approved in advance by Millersville University Environmental Health and Safety Manager and shall follow identification procedures as specified in Title 75, Solid Waste 846.
- D. Classification and packaging of wastes for transportation shall be performed by the contractors' personnel in accordance with proper hazard class, US Environmental Protection Agency (US EPA) US Department of Transportation (US DOT); and Pennsylvania Department of Transportation (PA DOT) specifications. All materials necessary for safe packing in compliance with the applicable regulatory requirements shall be provided by the contractor. This includes, but is not limited to, US DOT approved packing drums or sorbents, overpacking equipment, lab nest packs and the appropriate hardware. All requirements of 49 CFR 100-199 and 390-397 shall be met by the contractors.

- E. The contractor shall possess and provide documentation of a hazardous waste transportation licence in Pennsylvania and any other states which may be traversed enroute to field disposal, as required. The contractor shall obtain and provide documentation of permits when transporting hazardous wastes through jurisdictions which require special permitting. This includes, but is not limited to, roads maintained by the Pennsylvania Turnpike Commission. Registration shall be current with the PA DOT Motor Carries Safety Division (annual) and I.D. number from PA DER shall be provided. The contractor shall possess Pennsylvania licensing to transport ignitable; corrosive; reactive; EP toxic; acutely hazardous and toxic liquids, solids, and gases, by PA DER. The contractor shall maintain all such licenses as current. Evidence of this PA DER license shall be submitted with bid. Bids received without this license will not be considered.
- F. The contractor's transportation vehicle(s) shall be placarded in accordance with US DOT regulations and contain the following:
- f1. Two fire extinguishers with a total minimum rating of 4A; 80 B:C. These are to be maintained in compliance with NFPA #10.
 - f2. Two sets of protective equipment, which may include respiratory protection equipment, to enable workers to initially correct any spills/leaks which may occur. Protective clothing will be deemed sufficient if manufactures specifications would allow for 20 minutes of work with the materials in transport without protective equipment failure (20 minutes break-through time).
 - f3. One eye wash station per vehicle.
 - f4. A first aid kit equal to a 20 unit kit per vehicle.
 - f5. A suitable means of communication emergencies from the vehicle that guarantees two way communication at all times (e.g. UHF, VHF, HI-LO; or cellular phone units).
 - f6. Sufficient absorbent materials to contain 5% of the wastes being transported.
- G. A minimum of two (2) workers shall accompany each shipment vehicle. Such workers shall have received training in compliance with Title I and Title III of the Superfund Amendments and Reauthorization Act of 1986, and Section 75.263 of the Pennsylvania Hazardous Waste Regulations.
- H. The contractor shall place signs within 20 meters of the waste packaging site, advising personnel that hazardous waste activities are in progress. Additionally, the contractor shall supply physical security barriers, if necessary to limit access to packaging areas.
- I. The contractor shall manifest all materials for signature by the Environmental Health and Safety Manager or designee. All manifest shall be in compliance with the PA DOT; Pennsylvania Department of Environmental Resources (PA DER); US DOT; and US EPA regulations. Similarly, all drums or waste transport materials shall be labeled in accordance with applicable federal and state regulations.

- J. The contractor shall report all spills/leaks immediately during the packing or transportation process. Reports shall be made to Environmental Health and Safety Manager. Additionally, any spills shall be reported to appropriate Federal and State Emergency Management Agencies, where required by:
- j1. The Comprehensive Environmental, Recovery, Compensation, and Liability Act, 1976 (CERCLA)
 - j2. The Superfund Amendment and Reauthorization Act, Title III [Chemical Emergency Preparedness Program]
 - j3. The Clean Water Act
 - j4. Title 75, the Pennsylvania Hazardous Wastes Regulations
 - j5. The Resource Conservation and Recovery Act of 1976
 - j6. 67 PA Code, Chapter 403
 - j7. 49 CFR 100-199 and 49 CFR 390-397, US DOT regulations
 - j8. any additional applicable federal, state or local statutes
- K. Training in compliance with the US Occupational Safety and Health Administration (US OSHA) Hazardous Communication Standard, shall be provided to all contract hazardous waste workers by the contractor prior to the initiation of this contract.
- L. The contractor shall execute an environmentally sound, US EPA approved method for the deposition of hazardous wastes. Where this is other than incineration or explosive decomposition, the Environmental Health and Safety Manager shall approve the process in advance (this includes, but is not limited to federally approved landfilling; recovery processes; waste reduction processes; fuel blending; or characteristic altering processes).
- M. The contractor shall be responsible for determination of any regulatory restraints against transporting hazardous waste such as those federal regulations which affect cyanides and certain reactive chemicals (reference 49 CFR 100-199 and 390-397).
- N. The contractor shall package all materials individually for transportation. This includes placement of bulk containers onto transportation vehicles.
- O. Transportation hazard classes shall be mixed only in accordance with 49 CFR 100-199 and 390-397.
- P. A manifest shall be left with the University; additionally, a copy of the completed manifest and certificate of material disposal shall be forwarded to the University's Environmental Health and Safety Manager. Any problems in transportation, (spills, leaks, accidents, or injuries) shall be reported immediately both by phone to the University's Environmental Health and Safety Manager and confirmed in writing. The contractor shall supply the University with a copy of any accident/incident report completed in compliance with any federal, state or local regulations, which may affect a vehicle or site, holding University's hazardous waste.

- Q. In the event hazardous wastes are stored temporarily at a waste processing or handling site prior to final deposition, a certificate of arrival and acceptance shall be forwarded to the University's Environmental Health and Safety Manager upon material arrivals.
- R. Any temporary storage, waste management or fuel blending site the contractor uses for handling University hazardous waste shall hold current permits by both US EPA and PA DER (if in Pennsylvania). The contractor shall supply permit/licence information to the University for any site anticipated to be used, which is categorized in this sub section. Additionally, any site not previously approved by the University shall be approved by the Environmental Health and Safety Manager prior to transportation of waste to that site.
- S. No payment shall be made to the contractor until final deposition documentation is provided to and accepted by the University. Final disposition does not include temporary waste management sites.
- T. The contractor shall have the responsibility for cleaning all spills/leaks or material releases which occur in the packaging, loading, movement, transportation or disposal process. Cleaning shall be to background levels, where established, or to currently acceptable exposure levels, eight hour T.W.A., as published by the American Conference of Governmental Industrial Hygienists (ACGIH). ACGIH test methodology shall be used to document clean levels, and testing shall be performed in all cases at the expense of the contractor. Any cleaning done by the contractor to comply with this sub-section shall be done in compliance with 40 CFR 1910.120, Hazardous Waste Operations and Emergency Response.
- U. Any final disposition site must be permitted and approved by US EPA for the purpose it is intended.
- V. Within 10 days of notification of award the successful bidder shall submit materials as follows to the Environmental Health and Safety Manager:
 - v1. Laboratory service to be used to comply with subsection II. C., and appropriate certification.
 - v2. Vehicle description and specification (subsection II. F.)
 - v3. Training documentation (subsection II. G. and K.)
 - v4. Temporary holding site permits (subsection II. Q.)
 - v5. US EPA Identification Number

All required renewals or changes to the above items, PA DER licensure and PA Turnpike Permit, shall be submitted to the Environmental Health and Safety Manager.

- W. The contractor shall comply with all current or new hazardous substance legislation which may be executed during the terms of the contract, inclusive of legislation referenced herein, or any other federal, state, county, or municipal legislation which affects the packaging, transportation, or disposal of items handled under this contract.

CHEMICAL WASTE - VENDOR LIST

<u>COMPANY</u>	<u>NAME/ADDRESS</u>	<u>PHONE NO.</u>
Progressive Disposal Group, Inc.	Clifford J. Bailer 510 E. Barnard St. West Chester, PA 19381	215-429-1000 215-429-1840 (fax)
<u>Chemical Assistance, Inc.</u>	Lisa M. Fookes 221 Dino Dr., Suite A Ann Arbor, MI 48103	800-535-6650 313-426-9190 (fax)
K & B Technical Services Subsidiary of Stout Environmental, Inc.	J. Edgar Ware 101 Jessup Road Thorofare, NJ 08086	215-997-9111 215-997-9110
ENSI of Pennsylvania, Inc.	Madeline Zollo P.O. Box 832 Oaks, PA 19458-0832	215-631-5110 215-630-9674 (fax)
Eastern Chemical Waste Systems	Jeff Reiterman (Larry Smith) 1307-B South Penn Avenue Morrisville, PA 19067	717-667-9168
U ¹ . B & P Environmental Resources, Inc.	Joseph Barry Brown 1107 N. Point Blvd., Suite 212 Baltimore, MD 21224	301-285-8131 301-284-8584 (fax)
J ⁶ • GemChem, Inc.	P.O. Box 10365 Lancaster, PA 17605-0365	717-293-0173
J ¹ • AETC	Chris Bunner 3100 Hedley Street Philadelphia, PA 19137	215-289-3700
U ⁵ • Environmental Solutions Group, Inc.	Wayne G. DeVault 1601 Concord Pike, Suite 64 Wilmington, DE 19803	302-426-1600 302-426-1601 (fax)
Delaware Container Co., Inc.	John Fetterman West 11th Ave. & Valley Rd. Coatesville, PA 19320	215-383-6600 215-383-9406 (fax)

CA 1

CHEMICAL WASTE - VENDOR LIST

Lisa Jones

*Timothy Hogg
316 St. ...
near ...
11070*

*11-12-2011
2011*

COMPANY

NAME/ADDRESS

PHONE NO.

1 Progressive Disposal Group, Inc.

✓
~~Clifford J. Bailor~~
Bob Hollins
3611 Winding Way
Newtown Square, PA 19073
~~510 East Barnard Street
West Chester, PA 19381~~

424-1000
215-359-1131
215-359-9369
(fax) 424-1840

2 Chemical Assistance, Inc.

✓
~~Dawn Garmann Lisa M. Fookes~~
~~3157 Packard, Suite A~~
~~Ann Arbor, MI 48108~~
~~221 Dino Dr, Suite A~~
~~Ann Arbor, MI 48103~~

800-535-6650
313-677-0414
(fax) 426-9190
1400-535 0105

3 K & B Technical Services
Subsidiary of Stout
Environmental, Inc.

✓
J. Edgar Ware
101 Jessup Road
Thorofare, NJ 08086

215-997-9111
215-997-9110

4 ENSI of Pennsylvania, Inc.

✓
Madeline Zollo
P.O. Box 832
Oaks, PA 19458-0832

215-631-5110
215-630-9674
(fax)

5 Eastern Chemical Waste Systems

✓
~~Jeff Reiterman (Larry Smith)~~
1307-B South Penn Avenue
Morrisville, PA 19067

717-667-9168

6 B & P Environmental Resources, Inc.

✓
Joseph Barry Brown
1107 N. Point Blvd.,
Suite 212
Baltimore, MD 21224

301-285-8131
301-284-8584
(fax)

7 GemChem, Inc.

P.O. Box 10365
Lancaster, PA 17605-0365

717-293-0173

8 ETC

ATTN Chris Bonner

3100 Hedley St
Hedley

215-289-3700
Fax 215 533-6799

Phila. Pa. 19137



Chemical Assistance, Inc.

3157 Packard • Suite A • Ann Arbor, Michigan 48108 • (800) 535-6650

May 8, 1991

Mr. Lynold McGhee
University Safety Officer
Human Resources Department
Millersville University of Pennsylvania
Dilworth Bldg.
Room 200
Millersville, PA 17551

Dear Mr. McGhee;

Chemical Assistance, Inc. would like to inform you of our new address starting on May 20, 1991. It will be:

CHEMICAL ASSISTANCE, INC.
221 DINO DRIVE, SUITE A
ANN ARBOR, MICHIGAN 48103

As for contacting us on the telephone, our toll-free number will remain the same: (800) 535-6650. We will have a new facsimile number and it will be (313) 426-9190. Please make note of these changes and if you have any questions, please feel free to contact us.

Sincerely,


Lisa M. Fookes
Customer Relations Manager

LMF/11

Millersville University
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P.O. Box 1002

Millersville, PA 17551-0302

Hasler

05/30/2012

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MS. MARSHA ADAMS
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY
ENFORCEMENT SERVICES SECTION 1 SE-5J
77 WEST JACKSON BOULEVARD
CHICAGO IL 60604-0390

